

REMARKS

Favorable reconsideration of this application is respectfully requested in light of the following remarks, wherein Claims 1 and 6 have been amended.

As an initial matter, Applicants express gratitude to the Examiner for the courtesies extended to Applicants' attorney during the recent interview. During the interview, amendments to independent Claim 1 were discussed. In particular, the Examiner suggested adding the feature that brake squeal control is carried out irrespective of whether brake squeal phenomena have actually developed or not. As discussed during the interview, none of the references disclosed that brake squeal is controlled irrespective of the presence of brake squeal phenomena. Accordingly, independent Claims 1 and 6 have been amended to recite this feature. None of the art of record discloses these patentable features.

U.S. Patent No. 5,108,159 discloses a brake system for a vehicle equipped with an antilock braking system, which suppresses the vibrations produced when brake pressures are repeatedly supplied and stopped during ABS control and the generation of noises during the brake application. However, *Tsang et al.* fails to disclose suppressing squeal when "in the cold" and "first in the morning" states are determined. In addition, *Tsang et al.* fails to disclose that brake squeal is controlled irrespective of the presence of brake squeal phenomena. Accordingly, *Tsang et al.* fails to disclose patentable features of independent Claim 1.

Likewise, KRN 2003 009605A to *Kim* fails to disclose the features of independent Claim 1. In contrast, this reference also aims to suppress noises produced in the ABS and Control System. It does not aim to suppress squeals that occur and "first in the morning" state. Moreover, the reference to *Kim* fails to

disclose the feature that brake squeal controls carried out irrespective of whether brakes wheel phenomena have actually developed or not, as now defined in independent Claim 1. Accordingly the features of independent Claim 1 are patentable over the *Kim* reference.

Finally, Claim 6 and 7 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,743,074 to *Inoue*. However, independent Claim 6 has also been amended to recite that the brake squeal control is carried out irrespective of whether brake squeal phenomena have actually developed or not. *Inoue* fails to disclose this feature. In contrast, while *Inoue* discloses a wheel speed sensor can detect the rotational behavior of the wheel, including a reverse direction, the brake squeal control device of *Inoue* is not automatically actuated upon determination of that reverse direction. As such, *Inoue* fails to disclose that the brake squeal control is carried out irrespective of whether the brake squeal phenomena have actually developed or not, as now recited in independent Claim 6. Accordingly, independent Claim 6 defines patentable subject matter over *Inoue*.

For at least the foregoing reasons, it is submitted that the brake squeal control device of independent Claims 1 and 6, and the claims depending therefrom are patentably distinguishable over the applied documents. Accordingly, withdrawal of the rejections of record and allowance of this application are earnestly solicited.

Should any questions arise in connection with this application, or should the Examiner believe a telephone conference would be helpful in resolving any remaining issues pertaining to this application, the undersigned respectfully requests she be contacted at the number indicated below.

Respectfully submitted,

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Date: April 11, 2005

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